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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/626,351 | 07/24/2003 | Michael Russell | 2502695-991100 |

CONFIRMATION NO. 1688

FORMALITIES LETTER



OC000000011059706

29585
 GRAY CARY WARE & FREIDENRICH LLP
 153 TOWNSEND
 SUITE 800
 SAN FRANCISCO, CA 94107

Date Mailed: 10/17/2003

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Y.G.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

Effective OCTOBER 1, 2003, Patent Fees will be adjusted. Please note that fee amounts required by the enclosed Notice might reflect the fees due on the date of filing. Any fee paid on or after OCTOBER 1, 2003 is subject to the new FY 2004 fee schedule and must be paid in the new amount.

EXAMPLES OF FEES BEING ADJUSTED

See www.uspto.gov for complete FY 2003
and FY-2004 Fee Schedules

* Indicates
fees remain
at FY 2003
amount

| DESCRIPTION | FY 2003 | FY 2004 |
|--|----------------|----------------|
| Basic filing fee - Utility | \$750 | \$770 |
| Basic filing fee - Utility (Small Entity) | \$375 | \$385 |
| Independent claims in excess of three | \$84 | \$86 |
| Independent claims in excess of three (Small Entity) | \$42 | \$43 |
| Claims in excess of twenty | \$18 | \$18* |
| Claims in excess of twenty (Small Entity) | \$9 | \$9* |
| Multiple dependent claim | \$280 | \$290 |
| Multiple dependent claim (Small Entity) | \$140 | \$145 |
| Surcharge - Late filing fee | \$130 | \$130 |
| Surcharge - Late filing fee (Small Entity) | \$65 | \$65 |
| Design filing fee | \$330 | \$340 |
| Design filing fee (Small Entity) | \$165 | \$170 |
| Plant filing fee | \$520 | \$530 |
| Plant filing fee (Small Entity) | \$260 | \$265 |
| Reissue filing fee | \$750 | \$770 |
| Reissue filing fee (Small Entity) | \$375 | \$385 |
| Reissue independent claims | \$84 | \$86 |
| Reissue independent claims (Small Entity) | \$42 | \$43 |
| Reissue claims in excess of twenty | \$18 | \$18* |
| Reissue claims in excess of twenty (Small Entity) | \$9 | \$9* |
| Provisional application filing fee | \$160 | \$160* |
| Provisional application filing fee (Small Entity) | \$80 | \$80* |
| Surcharge - Late provisional filing fee | \$50 | \$50* |
| Surcharge - Late provisional filing fee (Small Entity) | \$25 | \$25* |
| Non-English Specification | \$130 | \$130* |
| Extension - First month | \$110 | \$110* |
| Extension - First month (Small Entity) | \$55 | \$55* |
| Extension - Second month | \$410 | \$420 |
| Extension - Second month (Small Entity) | \$205 | \$210 |
| Extension - Third month | \$930 | \$950 |
| Extension - Third month (Small Entity) | \$465 | \$475 |
| Extension - Fourth month | \$1,450 | \$1,480 |
| Extension - Fourth month (Small Entity) | \$725 | \$740 |
| Extension - Fifth month | \$1,970 | \$2,010 |
| Extension - Fifth month (Small Entity) | \$985 | \$1,005 |
| Petition | \$130 | \$130* |
| Processing returned checks | \$50 | \$50* |

For further fee information, please call
(703-308-HELP)